The motion was put and carried.

The Cochin Tea Cess Act Amendment Bill.

Mr. K. P. Kannan Nayar (*Secretary to Government*): Sir, I move that the Cochin Tea Cess Act Amendment Bill be taken up and passed now.

Mr. C. A. Kunjunni Raja (*Advocate-General*): I second it.

The motion was put and carried.

RESOLUTIONS.—(*cont.*)

9. Bonds in connection with State Aid to Cottage Industries to be exempted from Stamp Duty, etc.

Mr. P. K. Madhava Menon (*Narakkal*): "*This Council recommends to the Government to exempt from stamp duty, registration fees and non-encumbrance certificate fees, all bonds to be executed in connection with State Aid to Cottage Industries.*"

By this resolution, I am only seeking to extend the concession that has already been granted in connection with applications for loans from the Land Mortgage Bank to applications for loans to promote or expand cottage industries. The State Aid to Industries Act has been put on the statute book with the object of helping the cottage industries of this country, but the working of it is not in a liberal way and therefore it is of very little use to the people who seek Government aid for cottage industries. A party who applied for a loan of Rs. 1,000 last year, has recently been asked to deposit a sum of Rs. 120 for the issue of a non-encumbrance certificate from the Registry Office. This amount, Sir, is out of all proportion to the amount of the loan asked for and if these Acts are to be of use to the people, I submit that a liberal interpretation should be put in the working of such Acts, and the rules must be made accordingly. In spite of the fact that the officers concerned are evincing a keen interest in the betterment of the people, there is real difficulty for them in the matter of rendering real help to the people. In the case mentioned above where a man was seeking the help of Rs. 1,000, he was asked to deposit Rs. 120 in the Registry Office for getting a non-encumbrance certificate.

Mr. V. K. Krishnankutty (*Ezhuvas-Trichur*): How did that amount come to Rs. 120?

Mr. P. K. Madhava Menon (*Narakkal*): To know that, the party sent in a petition to the Superintendent of Registration asking him to enlighten the party on the point and the Superintendent of Registration referred him to the Registrar of Cranganur and he has not yet supplied the information as to how he did arrive at the figures. I think Government

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do not expect much revenue from this source. I therefore commend this resolution for the acceptance of the House and also of the Government.

Mr. E. Ikkanda Warriar (*Cheruthuruthi*): I beg to second it.

Mr. K. Achyuta Menon (*Diwan Peishkar*): Sir, the documents executed by parties for the advancement of loans under the State Aid to Industries Act have already been exempted from stamp duty. That was ordered in the G. P. dated 27th July 1938, so that with respect to one part of the resolution, that has already been ordered by the Government. The only other question is whether they should extend this concession so far as Registration fee and the fee on non-encumbrance certificates also. My doubt in this case is whether this principle should be applied to documents evidencing loans advanced by Government in aid of cottage industries, when such fees are levied in the case of documents advancing loans such as for purely agricultural purposes.

Mr. P. K. Madhava Menon (*Narakkal*): What will be the use of such beneficial acts, when there are hardships existing?

Mr. K. Achyuta Menon (*Diwan Peishkar*): They have already been exempted from stamp duty. The only question for us to consider now is whether a small fee prescribed for the registration of these documents should also be done away with.

Mr. P. K. Madhava Menon (*Narakkal*): Is it the Hon'ble the Diwan Peishkar's contention that a fee of Rs. 120 is a small thing with regard to a loan of Rs. 1,000?

Mr. President: We are not concerned with a particular case where such a thing has happened. When we legislate, we have to legislate for the requirements of the general public.

Mr. K. Achyuta Menon (*Diwan Peishkar*): So, the Government have accepted the first portion of the resolution, that is regarding exemption from stamp duty.

Mr. K. R. Viswambharan (*Ezhuvas-Talappalli*): Are not free encumbrance certificates issued to the applicants for loans from the Land Mortgage Bank?

Mr. K. Achyuta Menon (*Diwan Peishkar*): Yes. I believe that principle is also extended to the Co-operative Societies also.

The question is whether in the case of individuals borrowing loans from Government, they should be exempted from

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payment of fees, such as Registration fees, when in the case of private individuals borrowing loans from private individuals, they are not exempted from such fees. If it is a question of poverty, then the case of extending this principle to all small loans generally comes in. And generally people who borrow from Government will be more solvent than those who borrow from private individuals. Therefore it is not possible to do this so far as Registration fees are concerned.

With regard to the non-encumbrance certificate fees, the matter is very difficult. If you apply for a non-encumbrance certificate, many registers for many years have to be looked into. There again, there is a provision in the Act under which you have to produce only a list of documents regarding the transactions effected during one's tenure of the holding.

Mr. K. R. Viswambharan (*Ezhuvas-Talappalli*): Will the Government be satisfied with that certificate for the purpose of granting loans under the State Aid to Industries Act?

Mr. K. Achyuta Menon (*Diwan Peishkar*): This is provided in the statute itself. You are at liberty to do according to that provision. Suppose Government is convinced that Survey No. 454 belongs to A, you need not hunt for all the documents connected with the holding. You have not to produce documents executed by other parties. Therefore Government find it difficult to extend this concession so far as non-encumbrance certificate is concerned.

Mr. V. J. Mathai (*Planters*): On a point of information, may I know what is the amount distributed every year under the Act?

Mr. K. Achyuta Menon (*Diwan Peishkar*): The Act has been brought into operation very recently.

Mr. K. R. Viswambharan (*Ezhuvas-Taıappalli*): Has any loan been disbursed till now?

Mr. P. K. Madhava Menon (*Narakkal*): After hearing the Government position, I do not wish to press the resolution. So I beg leave of the House to withdraw it.

The resolution was, by leave, withdrawn.

10. Minimum wages for Beedi makers to be stipulated.

മിസ്റ്റർ വി. കെ. കുട്ടി: "ഫാക്ടറി-ലേക്കുള്ള പുകയില ലേലം പരസ്യം ചെയ്യുമ്പോൾ സംസ്ഥാനത്തെ ബീഡി തെരുപ്പുകർക്കുള്ള ഏറ്റവും കുറഞ്ഞ കൂലി നിരക്കുകൂടി കൂടി പ്പെടുത്തികൊണ്ടായിരിക്കണമെന്ന ഈ കൌൺസിൽ മഹാരാജാവു തിരുമനസ്സിലെ ശ്രദ്ധയിൽപ്പെടുത്തണമെന്ന്". ഈ റസലൂഷൻ ഞാൻ അയച്ചിട്ട ഇപ്പോൾ മൂന്നു മാസം കഴിഞ്ഞിട്ടുണ്ട്. അതുകൊണ്ടാണ് ഫാക്ടറി-ലേക്കുള്ള പുകയില ലേലം പരസ്യം ചെയ്യു

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